

Service Date: November 20, 2000

DEPARTMENT OF PUBLIC SERVICE REGULATION  
BEFORE THE PUBLIC SERVICE COMMISSION  
OF THE STATE OF MONTANA

IN THE MATTER of the Application of	)	UTILITY DIVISION
Red Butte Pipe Line Company and	)	
Clear Fork Pipeline Company for	)	DOCKET NO. D2000.11.187
Approval of Transfer of Certain	)	
Assets in Montana.	)	ORDER NO. 6292

**PROTECTIVE ORDER**

1. On November 13, 2000, Red Butte Pipe Line Company (Red Butte) filed a Motion for Protective Order with the Montana Public Service Commission (Commission or PSC) to govern certain information to be filed in the above-entitled proceeding. Red Butte requests protection of information relating to the Purchase and Sale Agreement dated October 4, 2000 and the list of shippers and other interested parties. Red Butte argues that the identified information is confidential or trade secret information in accordance with § 30-14-402, MCA.

2. The Commission determines that the identified information could be confidential and subject to protection from public disclosure pursuant to § 69-3-105, MCA. Therefore, the PSC grants Red Butte's request and hereby orders that information submitted in accordance with this Order be treated as "confidential information" under the terms of this Order and PSC protective order rules, ARM 38.2.5001 through 38.2.5030. A nondisclosure agreement is attached to this order.

**ORDER**

The Commission determines that Red Butte may be required to furnish confidential information in this docket that is subject to protection from public disclosure pursuant to § 69-3-105, MCA, and Article II, § 10 of the Montana Constitution. Therefore, the Commission grants Red Butte 's motion for a protective order and orders that information submitted by Red Butte in accordance with this order be treated as "confidential information" under the terms of this order and Commission protective order rules, ARM 38.2.5001 – 5030.

DONE AND DATED this 20th day of November, 2000, by a vote of 5 to 0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

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DAVE FISHER, Chair

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NANCY MCCAFFREE, Vice Chair

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BOB ANDERSON, Commissioner

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GARY FELAND, Commissioner

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BOB ROWE, Commissioner

ATTEST:

Kathlene M. Anderson  
Commission Secretary

(SEAL)

NOTE:       Reconsideration of this order is not allowed. ARM 38.2.5008(2); ARM 38.2.4806(7). A challenge to this order may be made pursuant to ARM 38.2.5008(3).

**Nondisclosure Agreement**

ARM 38.2.5012

Docket No. D2000.11.187, Order No. 6292  
Order Action Date November 20, 2000

I understand that in my capacity as counsel or expert witness for a party to this proceeding before the commission, or as a person otherwise lawfully so entitled, I may be called upon to access, review, and analyze information which is protected as confidential information. I have reviewed ARM 38.2.5001 through 38.2.5030 (commission rules applicable to protection of confidential information) and protective orders governing the protected information that I am entitled to receive. I fully understand, and agree to comply with and be bound by, the terms and conditions thereof. I will neither use nor disclose confidential information except for lawful purposes in accordance with the governing protective order and ARM 38.2.5001 through 38.2.5030 so long as such information remains protected.

I understand that this nondisclosure agreement may be copied and distributed to any person having an interest in it and that it may be retained at the offices of the provider, commission, consumer counsel, any party and may be further and freely distributed.

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Typed or Printed Name

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Signature

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Date of Signature

Business Address:

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Employer

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Party Represented